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25944	7590	06/22/2005	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			SMITH, PETER J	
			ART UNIT	PAPER NUMBER
			2176	
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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/859,426

**Applicant(s)**

DANG ET AL.

**Examiner**

Peter J Smith

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: amendment filed on 10/20/2004.
2. Claims 1-21 are pending in the case. Claims 1, 6, 11, 16, and 21 are independent claims.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claim 22 is rejected under 35 U.S.C. 102(e) as being anticipated by Tso et al. (hereinafter “Tso”), US 6,421,733 B1 filed 9/8/1997.**

**Regarding independent claim 22,** Tso discloses receiving an information request from a user in fig. 7-9. Tso discloses determining an identity of a client associated with the information request in fig. 5, fig. 7-9, and col. 6 line 64 – col. 8 line 9. Tso discloses determining content elements and presentation elements associated with the client in fig. 5, fig. 7-9, and col. 6 line 64 – col. 8 line 9. Tso discloses retrieving the requested information from an information provider and creating a virtual content record based on the content elements and the presentation elements of the client in fig. 5, fig. 7-9, and col. 6 line 64 – col. 8 line 9. Tso discloses merging the retrieved requested information and the virtual content record to create a document consistent with the content elements and presentation elements associated with the client and outputting the

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document to the user in fig. 5, fig. 7-9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tso et al. (hereinafter “Tso”), US 6,421,733 B1 filed 9/8/1997 in view of Hind et al. (hereinafter “Hind”), US 6,463,440 B1 filed 4/8/1999.**

**Regarding independent claim 1**, Tso teaches an identity storage that stores identity information including content elements and transformation information associated with a client and user in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content providers and servers are all stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content. Tso teaches a client and user determining circuit that determines a sending client and a user of a received request for information from a information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches a skeleton/virtual content determining circuit that determines which of the stored identity information and transformation information correspond to the client and the user to create a skeleton/virtual content record in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. Tso teaches an input/output circuit that requests and

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receives the information from the information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches a merging circuit that determines the merged content portion based on the received information and the skeleton/virtual content record associated with one of the determined client and the user to render the merged content portion to maintain the look and feel of a client website in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso does not teach that the identity storage stores identity information including style sheet information which is used to render the merged content portion according to the style sheet information. Hind does teach an identity storage which stores identity information including style sheet information which is used to render a merged content portion according to the style sheet information in col. 4 lines 48-56 and col. 9 lines 4-48. Hind dynamically selects and applies the correct style sheet to transform and render an appropriate output document. The style sheet may be selected based on matching characteristics with the source document, or matching characteristics with user preferences or client device capabilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Hind into Tso to have created the claimed invention. It would have been obvious and desirable to have stored and used the style sheets as taught by Hind so that a style sheet developer could have programmed the transformation rules into the style sheets for each type of user preference and client device as taught by Hind in col. 9 lines 4-48.

**Regarding dependent claim 2,** Tso teaches wherein the identity storage comprises identity content element storage and identity presentation information storage in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content providers and servers are all

stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content.

**Regarding dependent claim 3**, Tso teaches wherein the client and user determining circuit determines at least one of a client identification and a user identification based on at least one of internet protocol address information, session identifier information, name pairs and value pairs in col. 6 line 64 – col. 8 line 9.

**Regarding dependent claim 4**, Tso teaches wherein the merged content portions are stored using at least one of an electronic medium, a printed medium, and a paper medium in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding dependent claim 5**, Tso teaches wherein the merged content portions are at least one of an electronic text, a printed text, an audio book and a video book in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding independent claim 6**, Tso teaches receiving a information request from at least one of a client and a user in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches determining at least one of a client and a user associated with the information request in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches receiving the requested information from the information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches determining identity information from the stored identity information that includes content elements and transformation information based on the at least one of the client and user information in col. 6 line 64 – col. 8 line 9. Tso teaches

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creating a skeleton/virtual content record based on the identity information and transformation information in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso teaches determining a merged content portion based on the information and the skeleton/virtual content record and then outputting the merged content portion according to the content elements and the transformation information to maintain a look and feel of a client website in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso does not teach that the identity storage stores identity information including style sheet information which is used to render the merged content portion according to the style sheet information. Hind does teach an identity storage which stores identity information including style sheet information which is used to render a merged content portion according to the style sheet information in col. 4 lines 48-56 and col. 9 lines 4-48. Hind dynamically selects and applies the correct style sheet to transform and render an appropriate output document. The style sheet may be selected based on matching characteristics with the source document, or matching characteristics with user preferences or client device capabilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Hind into Tso to have created the claimed invention. It would have been obvious and desirable to have stored and used the style sheets as taught by Hind so that a style sheet developer could have programmed the transformation rules into the style sheets for each type of user preference and client device as taught by Hind in col. 9 lines 4-48.

**Regarding dependent claim 7,** Tso teaches wherein the stored identity information comprises at least one of identity content element information and identity presentation information in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content

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providers and servers are all stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content.

**Regarding dependent claim 8**, Tso teaches wherein the client and user information is determined based on at least one of internet protocol address information, session identifier information, name pairs and value pairs in col. 6 line 64 – col. 8 line 9.

**Regarding dependent claim 9**, Tso teaches wherein determining the merged content portions produces at least one of an interactive text, a printed text, an audio book and a video book in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding dependent claim 10**, Tso teaches wherein the merged content portions are stored on at least one of electronic media, printed media, and a paper media in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding independent claim 11**, Tso teaches receiving a information request from at least one of a client and a user in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches determining at least one of a client and a user associated with the information request in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches receiving the requested information from the information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches determining identity information from the stored identity information that includes content elements and transformation information based on the at least one of the client and user information in col. 6 line 64 – col. 8 line 9. Tso teaches



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creating a skeleton/virtual content record based on the identity information and transformation information in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. Tso teaches determining a merged content portion based on the information and the skeleton/virtual content record and then outputting the merged content portion according to the content elements and the transformation information to maintain a look and feel of a client website in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso does not teach that the identity storage stores identity information including style sheet information which is used to render the merged content portion according to the style sheet information. Hind does teach an identity storage which stores identity information including style sheet information which is used to render a merged content portion according to the style sheet information in col. 4 lines 48-56 and col. 9 lines 4-48. Hind dynamically selects and applies the correct style sheet to transform and render an appropriate output document. The style sheet may be selected based on matching characteristics with the source document, or matching characteristics with user preferences or client device capabilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Hind into Tso to have created the claimed invention. It would have been obvious and desirable to have stored and used the style sheets as taught by Hind so that a style sheet developer could have programmed the transformation rules into the style sheets for each type of user preference and client device as taught by Hind in col. 9 lines 4-48.

**Regarding dependent claim 12,** Tso teaches wherein the stored identity information comprises at least one of identity content element information and identity presentation information in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content

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providers and servers are all stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content.

**Regarding dependent claim 13**, Tso teaches wherein the client and user is determined based on at least one of internet protocol address information, session identifier information, name pairs and value pairs in col. 6 line 64 – col. 8 line 9.

**Regarding dependent claim 14**, Tso teaches wherein determining the merged content portions produces at least one of an interactive text, a printed text, an audio book and a video book in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding dependent claim 15**, Tso teaches wherein the merged content portions are stored on at least one of electronic media, printed media, and a paper media in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding independent claim 16**, Tso teaches an identity storage that stores identity information including content elements and transformation information associated with a client and user in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content providers and servers are all stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content. Tso teaches a client and user determining circuit that determines a sending client and a user of a received request for information from a information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches a skeleton/virtual content determining circuit that determines which of

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the stored identity information and transformation information correspond to the client and the user to create a skeleton/virtual content record in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. Tso teaches an input/output circuit that requests and receives the information from the information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches a merging circuit for determining a merged content portion based on a received information signal and the skeleton/virtual content record that includes an identity associated with the determined client and user to render the merged content portion to maintain a look and feel of a client website in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso does not teach that the identity storage stores identity information including style sheet information which is used to render the merged content portion according to the style sheet information. Hind does teach an identity storage which stores identity information including style sheet information which is used to render a merged content portion according to the style sheet information in col. 4 lines 48-56 and col. 9 lines 4-48. Hind dynamically selects and applies the correct style sheet to transform and render an appropriate output document. The style sheet may be selected based on matching characteristics with the source document, or matching characteristics with user preferences or client device capabilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Hind into Tso to have created the claimed invention. It would have been obvious and desirable to have stored and used the style sheets as taught by Hind so that a style sheet developer could have programmed the transformation rules into the style sheets for each type of user preference and client device as taught by Hind in col. 9 lines 4-48.

**Regarding dependent claim 17,** Tso teaches wherein the identity storage comprises identity content element storage and identity presentation information storage in col. 6 line 64 – col. 8 line 9. The characteristics and preferences of users, content providers and servers are all stored in identity storages which are accessed by the transcoding server to perform dynamic customizations on requested content.

**Regarding dependent claim 18,** Tso teaches wherein the client and user determining circuit determines at least one of a client identification and a user identification based on at least one of internet protocol address information, session identifier information, name pairs and value pairs in col. 6 line 64 – col. 8 line 9.

**Regarding dependent claim 19,** Tso teaches wherein the merged content portions are stored on at least one of an electronic media, a printed media, and a paper media in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding dependent claim 20,** Tso teaches wherein the merged content portions are at least one of an interactive electronic text, a printed text, an audio book and a video book in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. The merged content portions of Tso are stored as a web page, which can also be printed out by the client.

**Regarding independent claim 21,** Tso teaches receiving a information request from at least one of a client and a user in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches determining at least one of a client and a user associated with the information request in fig. 3, 5, 7-9, col. 2 lines 9-18, and col. 2 line 44 – col. 3 line 6. Tso teaches receiving the requested information from the information provider in fig. 3, 5, 7-9, col. 2 lines 9-18, and

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col. 2 line 44 – col. 3 line 6. Tso teaches determining identity information from the stored identity information that includes content elements and transformation information based on the at least one of the client and user information in col. 6 line 64 – col. 8 line 9. Tso teaches creating a skeleton/virtual content record based on the identity information and transformation information in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55. Tso teaches determining a merged content portion based on the information and the skeleton/virtual content record and then outputting the merged content portion according to the content elements and the transformation information to maintain a look and feel of a client website in fig. 3, 5, 9, col. 2 lines 44-55, col. 6 line 64 – col. 8 line 9, and col. 14 lines 47-55.

Tso does not teach that the identity storage stores identity information including style sheet information which is used to render the merged content portion according to the style sheet information. Hind does teach an identity storage which stores identity information including style sheet information which is used to render a merged content portion according to the style sheet information in col. 4 lines 48-56 and col. 9 lines 4-48. Hind dynamically selects and applies the correct style sheet to transform and render an appropriate output document. The style sheet may be selected based on matching characteristics with the source document, or matching characteristics with user preferences or client device capabilities. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Hind into Tso to have created the claimed invention. It would have been obvious and desirable to have stored and used the style sheets as taught by Hind so that a style sheet developer could have programmed the transformation rules into the style sheets for each type of user preference and client device as taught by Hind in col. 9 lines 4-48.

*Response to Arguments*

7. Applicant's arguments, see page 8, filed 4/14/2005, with respect to the rejection of claim 21 under 35 USC 101 have been fully considered and are persuasive. The rejection of claim 21 under 35 USC 101 has been withdrawn.

8. Applicant's arguments filed 4/14/2005 have been fully considered but they are not persuasive. Regarding Applicant's argument in pages 8-11 that neither Tso et al. (hereinafter "Tso") nor Hind et al. (hereinafter "Hind") teach all of the limitations of the claimed invention, the Examiner respectfully disagrees. Tso teaches discloses an identity storage that stores identity information including transformation which is used to render a merged content portion according to the transformation information. Tso teaches that transcoding of the requested information is performed when this identity information is matched to a client request. Tso teaches in col. 2 lines 44-49 that transcoding applies to virtually any manipulation of data such as adding, modifying, and deleting. Merging content falls under this transcoding teaching of Tso. Tso teaches in col. 6 line 64 – col. 8 line 9 that the transformation information may include such information as network client characteristics, server characteristics, content characteristics, network characteristics, proxy characteristics, user preferences, group preferences, content provider preferences, or other characteristics such as enforcing correct usage of content. These preferences and characteristics guiding the transcoding process read upon a skeleton/virtual content record which contains identity and transformation information for determining a merged content portion. What Tso does not teach is that the transformation information is stored,

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maintained, and applied as style sheet information. The Examiner believes Hind does teach storing, maintaining, and applying style sheet information to transform content data, particularly in col. 4 lines 48-56 and col. 9 lines 4-48. Hind teaches that style sheets are useful as transformation information in col. 1 lines 28-40. Thus, the Examiner believes that using this teaching of Hind, it would have been obvious and desirable for the reasons described by Hind to have employed style sheets to have stored the transformation information for the transcoding process as is taught by Tso. The Examiner believes this combination of Tso and Hind does teach all of the limitations of the claimed invention and therefore maintains the rejection of claims 1-21 as being unpatentable over Tso in view of Hind.

Regarding Applicant's argument in page 11 that neither Tso nor Hind teach all of the limitations of new independent claim 22, the Examiner respectfully disagrees. Independent claim 22 does not limit the transformation information to style sheet information, thus the transformation information as taught by Tso is sufficient to teach the claimed virtual content record. Thus, the Examiner believes Tso alone teaches all of the limitations of new independent claim 22.

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS  
6/10/2005

  
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